

Message Text

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ACTION EUR-12

INFO OCT-01 NEA-10 IO-13 HA-05 ISO-00 SSO-00 NSCE-00
INRE-00 SS-15 SP-02 L-03 H-01 CIAE-00 INR-10
NSAE-00 PA-01 BIB-01 DODE-00 /074 W
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O 101811Z JUL 78

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC IMMEDIATE 4141

INFO AMEMBASSY BELGRADE

AMEMBASSY BERLIN

AMEMBASSY BUCHAREST

AMEMBASSY BUDAPEST

USMISSION GENEVA IMMEDIATE

AMCONSUL LENINGRAD

AMEMBASSY LONDON

USDEL MBFR VIENNA

AMCONSUL MUNICH

AMEMBASSY PARIS

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

AMEMBASSY TEL AVIV

USMISSION USNATO

USMISSION USUN NEW YORK

AMEMBASSY WARSAW

USICA WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 MOSCOW 16052

GENEVA FOR AMBASSADOR TOON

E.O. 11652: GDS

TAGS: PINT, SHUM, UR

SUBJECT: SHCHARANSKIY TRIAL: END OF FIRST DAY

SUMMARY: LEONID SHCHARANSKIY WAS ABLE TO ATTEND FIRST
DAY'S SESSION OF HIS BROTHER'S TRIAL, BUT TOMORROW'S
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SESSION IS CLOSED AND HE MAY NOT BE ABLE TO ATTEND IT.
ANATOLIY APPEARED TO HIM IN GOOD HEALTH AND DEFENDED
HIMSELF FORCEFULLY AND WELL, REJECTING CHARGES AS ABSURD.
HE PRESENTED FORTY-PAGE LIST OF DOCUMENTS WHICH HE
WISHED INCLUDED IN DEFENSE MATERIALS. COURT APPROVED
SIX DOCUMENTS. END SUMMARY.

1. COURTROOM ATMOSPHERE AND SHCHARANSKIY'S HEALTH. FIRST DAY OF SHCHARANSKIY TRIAL ENDED SHORTLY AFTER 6:00 P.M. LEONID, WHO HAD ATTENDED ENTIRE DAY'S PROCEEDINGS AFTER BEING ADMITTED IN MORNING, RECOUNTED EVENTS ON STREET OUTSIDE COURTROOM. HE DESCRIBED HIS BROTHER AS APPEARING TO BE IN GOOD HEALTH AND SPIRITS, SPEAKING FORCEFULLY IN HIS OWN DEFENSE FOR AN HOUR OR MORE. DURING DEFENSE, ANATOLIY WAS NOT INTERRUPTED BY JUDGE, SPECTATORS WERE QUIET AND ALL APPEARED TO LISTEN INTENTLY.

2. THE INDICTMENT. INDICTMENT REPORTEDLY CHARGES ANATOLIY WITH GIVING SECRET INFORMATION TO LOS ANGELES TIMES REPORTER ROBERT C. TOTH, GIVING INFORMATION TO A CIA AGENT, SUPPORTING AMERICAN ECONOMIC SANCTIONS AGAINST THE USSR AND GIVING INFORMATION TO WESTERN CORRESPONDENTS USED FOR SUBVERSIVE PURPOSES BY RFE, RL, VOA, BBC AND A GERMAN STATION.

3. SHCHARANSKIY'S DEFENSE. SHCHARANSKIY STATED THAT HE INTENDED TO REFUSE TO ENGAGE IN SPECIFIC, DETAILED DEFENSE OF INDIVIDUAL CHARGES UNLESS TRIAL WAS OPENED TO OTHER MEMBERS OF HIS FAMILY, THE PRESS AND HIS SUPPORTERS. HE SAID THAT IN VIEW OF PRESENT CLOSED NATURE OF TRIAL, HE INTENDED TO RESPOND ONLY IN GENERAL TO ACCUSATIONS AGAINST HIM. HE CHARACTER-

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IZED CHARGES AS ABSURD AND DENIED ANY VIOLATIONS OF LAW.

4. DEFENSE STATEMENT BY SHCHARANSKIY DID NOT ADDRESS CHARGES CONNECTED TO TOTH. WITH REGARD TO ALLEGATIONS HE HAD PROVIDED INFORMATION IN SUPPORT OF JACKSON/VANIK AMENDMENT, WHICH ALLEGEDLY HARMED SOVIET ECONOMIC STRENGTH, SHCHARANSKIY POINTED OUT THAT HE HAD STILL BEEN A STUDENT WHEN AMENDMENT WAS FIRST DRAFTED. HE ADDED THAT SUCH MATERIALS AS HE HAD WRITTEN ON SUBJECT WERE IN FAVOR OF COMPROMISES TO AMENDMENT, WHICH MADE IT INAPPROPRIATE TO CHARGE HIM WITH SUPPORTING VERSION AS PASSED. HE DID NOT RECALL ANY OF DOCUMENTS HE SIGNED AND, IN RESPONSE TO QUESTION WHY HE DID NOT CRITICIZE U.S. PROBLEMS AND POINT OUT GOOD FEATURES OF SOVIET UNION, SAID HIS PURPOSE WAS TO TRY TO IMPROVE SHORTCOMINGS IN SOVIET UNION.

5. CHARGES INCLUDED ALLEGATION THAT HIS MEETINGS WITH FOREIGN CORRESPONDENTS AND U.S. CONGRESSMEN WERE CONSPIRATORIAL. SHCHARANSKIY REPLIED THAT ON

CONTRARY THEY WERE OPEN MEETINGS AND COMMUNIST
CORRESPONDENTS HAD BEEN INVITED TO SOME OF MEETINGS
WHICH INCLUDED FOREIGN PRESS.

6. DEFENSE DOCUMENTS. SHCHARANSKIY SUBMITTED A
LIST OF ABOUT 40 PAGES OF DOCUMENTS WHICH HE
WANTED INCLUDED AS DEFENSE MATERIALS. COURT AGREED
TO ONLY SIX DOCUMENTS, INCLUDING: HELSINKI DECLARA-
TION, DECLARATION OF HUMAN RIGHTS, PROTOCOL OF
KGB INTERROGATION OF JEWISH REFUSENIK VOLVOVSKIY,

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C O N F I D E N T I A L SECTION 02 OF 02 MOSCOW 16052

N.Y. TIMES ARTICLE ON LIPAVSKY AS CIA AGENT. HE
ASKED ALSO FOR COPY OF SOVIET CRIMINAL PROCEDURES
TO USE IN PREPARING DEFENSE. JUDGE DENIED REQUEST,
SAYING COURT HAD ONLY ONE COPY.

7. PROSECUTION WITNESSES. WITNESSES FOR PROSECUTION WILL INCLUDE LIPAVSKY AND TSEPIN, WHO HAVE PREVIOUSLY WRITTEN ARTICLES DENOUNCING SHCHARANSKIY, CONFIDENTIAL

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POPOVA, FORMER TOTH SECRETARY, AND PANCHINKA, A PERSON NOT KNOWN TO LEONID SHCHARANSKIY OR TO OTHER REFUSENIKS WE HAD OPPORTUNITY TO QUERY.

8. VIGNETTES. WHEN ANATOLIY ENTERED COURTROOM AND SAW LEONID, HE SMILED AND HIS FIRST REMARK WAS: "YOU'VE GAINED WEIGHT." ANATOLIY HAD PICTURE OF SPOUSE AVITAL WITH HIM. WHEN HE ASKED THAT HIS MOTHER BE ADMITTED TO COURTROOM, JUDGE SAID SHE WAS NOT IN CITY. LEONID REPORTEDLY LEAPED UP AND SAID SHE WAS RIGHT OUTSIDE ON STREET, FOR WHICH HE WAS PROMPTLY MOVED TO SEAT FURTHER AWAY FROM HIS BROTHER.

9. TOMORROW'S SESSION. JUDGE ANNOUNCED THAT SESSION TOMORROW WILL BE CLOSED. LEONID DOES NOT KNOW WHETHER OR NOT IT WILL BE IN SAME LOCATION, AND SEEMS TO DOUBT THAT HE WILL BE ADMITTED.

10. ATMOSPHERE IN STREET. ATMOSPHERE REMAINED FAIRLY CALM ALL DAY, BUT A LITTLE MINOR HECKLING STARTED AS AFTERNOON WORE ON. WATER WAS THROWN DOWN ON SEVERAL REFUSENIKS WHO WERE STANDING UNDER A SECOND STORY WINDOW, TO GREAT AND UNCONCEALED AMUSEMENT OF SECURITY FORCES.

11. EMBASSY PLANS. EMBOFF WILL GO TO SITE OF TODAY'S SESSION TOMORROW MORNING TO ASCERTAIN, IF POSSIBLE, WHETHER TRIAL IS CONTINUING THERE.

12. SOVIET MEDIA ON TRIAL. WE SHOULD ADD THAT "IZVESTIYA" AND "VECHERNYAYA MOSKVA" FOR EVENING OF JULY 10 CARRY A BRIEF TASS ITEM ON THE SHCHARANSKIY CONFIDENTIAL

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TRIAL. THE ITEM NOTES THAT HE IS CHARGED WITH ESPIONAGE AND WITH "ASSISTING A FOREIGN GOVERNMENT IN THE CONDUCT OF ACTIVITY HOSTILE TO THE USSR." (THE FOREIGN GOVERNMENT OBVIOUSLY IS THE U.S.)

13. THE EVENING NEWSPAPERS ALSO CARRIED A BRIEF
TASS ITEM ON THE TRIAL FOR ESPIONAGE OF A. N. FILATOV.
ITEM ON FILATOV CASE DOES NOT MENTION A FOREIGN
GOVERNMENT. MATLOCK

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